



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: East West Research, Inc.

File: B-244174

Date: July 8, 1991

Richard Snyder for the protester.
John Linarelli, Esq., Dickstein, Shapiro & Morin, for
Nationwide Glove Co., Inc., an interested party.
John M. Lowe, Esq., Defense Logistics Agency, for the agency.
Charles W. Morrow, Esq., and James A. Spangenberg, Esq.,
Office of the General Counsel, GAO, participated in the
preparation of the decision.

DIGEST

Protester is not an interested party to challenge the
evaluation of its proposal under a small business set-aside
solicitation where the Small Business Administration
determines that the protester is other than small for the
procurement.

DECISION

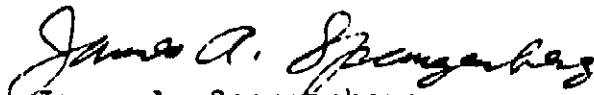
East West Research, Inc. protests the evaluation of its
proposal and the award to Nationwide Glove Co., Inc. under
request for proposals (RFP) No. DLA100-91-R-0125, a total
small business set-aside, issued by the Defense Logistics
Agency, Defense Personnel Support Center (DPSC), for
221,760 palm cloth leather gloves.

We dismiss the protest.

East West protested this award on May 22, 1991. A size
protest was then filed with the Small Business Administration
(SBA) alleging that East West did not qualify as a small
business concern on this procurement because it was affiliated
with a large business concern. On June 25, SBA determined
that East West is other than a small business for this
procurement. Under 15 U.S.C. § 637(b)(6) (1988), SBA has
conclusive authority to determine small business size status
for procurement purposes.

We find that the protester is no longer an interested party eligible to maintain a protest under our Bid Protest Regulations. A protester must have a direct economic interest, which may be affected by the award of a contract or the failure to award a contract, in order to qualify as an interested party eligible to protest a federal procurement, 56 Fed. Reg. 3,759 (1991) (to be codified at 4 C.F.R. § 21.0(a)). A protester is not considered an interested party where it would not be in line for award were its protest to be sustained. ESC Composites, Inc., B-235849.2, Jan. 3, 1990, 90-1 CPD ¶ 7. Since East West has been determined to be other than a small business, it is ineligible for award under this small business set-aside. Accordingly, we find that East West is not an interested party eligible to protest this award. See Gibraltar Indus., Inc., B-212023, June 24, 1983, 83-2 CPD ¶ 17.

The protest is dismissed.


James A. Spangenberg
Assistant General Counsel